



Appeal Decision

Site visit made on 27 September 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2022

Appeal Ref: APP/C3620/D/22/3294090

8 Hazel Way, Fetcham, KT22 9QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Adam Bell against the decision of Mole Valley District Council.
 - The application Ref MO/2021/0843/PLAH, dated 21 April 2021, was refused by notice dated 9 December 2021.
 - The development proposed is 'proposed alterations and extensions to form new open-plan kitchen/dining/family area to rear of the house. Removal of existing car port and formation of new double garage and home office. Existing single garage to be removed and new guest bedroom & en-suite to be formed.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the existing dwelling and the surrounding area; and
 - The effect of the proposal on the living conditions of occupiers of the neighbouring dwellings, with particular reference to privacy and light.

Reasons

Character and appearance

3. The appeal property is a detached two storey dwelling with a single garage and lean-to on one side and a detached double car port on the other side. It is located in part of the road that comprises houses of a similar design and appearance although many have subsequently been altered and extended.
4. The proposed part two storey, part single storey side extension would be set in from the side boundary with 10 Hazel Way by 0.9m. The two-storey element would have a width of 5.35m and would be set back from the main front elevation of the host dwelling by about 0.8m. Its eaves and ridge height would be the same as the host dwelling. The extension would be constructed in matching materials and would respect the design and appearance of the host dwelling. Furthermore, the design of the proposed two storey extension mirrors that of other similar extensions to dwellings in the immediate area. I therefore consider that when taken in isolation, the proposed two storey extension would

not be harmful to the character and appearance of the host dwelling or the surrounding area.

5. The proposed single storey side extension adjacent to the boundary with 6 Hazel Way would be located in a similar position to the existing garage. Whilst the proposed extensions would take up much of the width of the plot, this would not be dissimilar to other properties in the vicinity, including at 6 Hazel Way, and would not be harmful to the spatial characteristics of the area.
6. The proposal also involves large single storey extensions to the rear of the dwelling. Beyond the proposed two storey side extension, a further single storey extension of about 7m depth is proposed adjacent to the boundary with No 10. An extension off the main rear wall of the host dwelling would have a depth of about 11m, although a 3m section of this extension would be in the form of a canopy over a patio area. The single storey side / rear extension on the south eastern side of the dwelling would also extend beyond the rear elevation of the original dwelling by a further 4m.
7. The proposed extensions to the dwelling would combine to give a very large footprint which would be out of keeping with the size, scale and form of other properties in the surrounding area. Moreover, when taken cumulatively, the proposed extensions would dwarf and overwhelm the host dwelling and would fundamentally change its scale, character and appearance. Whilst the dwelling is located in a large plot, the proposed extensions when taken together would result in an overdevelopment of the host property. This would be harmful to its existing character and appearance and would be at odds with the character and appearance of the surrounding area.
8. For these reasons, the proposal would have a harmful effect on the character and appearance of the host dwelling and surrounding area. Thus, it would be contrary to Policy CS14 of the Mole Valley Local Development Framework Core Strategy (October 2009) (CS); and Policies ENV22, ENV23 and ENV32 of the Mole Valley Local Plan (October 2000) (LP). These policies require, amongst other things, development to respect its setting and to respect and enhance the character of the area, whilst being of an appropriate scale and form for the site.

Living conditions

9. With regard to the effect on the proposal on the living conditions of the occupiers of 10 Hazel Way, the Council's concern is in relation to privacy. The only proposed window on the side elevation of the extension adjacent to No 10 is a ground floor window serving a study. This window would be broadly opposite a lean-to to the rear of No 10's garage. Whilst No 8 is on slightly higher ground than No 10, I am satisfied that any views from this ground floor window would be largely of the boundary fence with the outbuilding beyond and accordingly, I am satisfied that the proposal would not have any material effect on the privacy of the occupiers of No 10.
10. The proposed single storey extension on the south eastern side of the dwelling would be adjacent to the high flank wall of an existing single storey extension to 6 Hazel Way, which is located at a higher ground level. The side extension would not extend significantly beyond the rear elevation of the extension to No 6 and would not have any material effect on light received by windows on the rear elevation.

11. The deep single storey rear extension would have a low eaves height and would slope up gently to form a central ridge. The Council confirm that the extension would technically breach the 45-degree plane from the middle of the closest neighbouring window and the 25-degree rising plane. However, given the distance that the extension is set off the boundary, together with its low eaves and ridge height and the difference in levels between the two dwellings, in my view the proposal would not have a significant effect on the amount of light received by windows on the rear of No 6.
12. I am therefore satisfied that the proposal would not result in harm to the living conditions of the occupiers of the adjoining dwellings with particular reference to light and privacy. Thus, it would comply with LP Policy ENV22 which seeks to ensure development does not significantly harm the amenities of occupiers of neighbouring properties by reason of overlooking or overshadowing. It would also accord with Policy ENV32 which seeks to ensure that house extensions do not harm the reasonable privacy and adequate daylighting and sunlighting for neighbours.

Other Matters

13. With regard to the appellants comments regarding the handling of the original planning application and lack of communication from the Council, these matters are not within the remit of this appeal.

Conclusion

14. Whilst I have concluded that the proposal would not be harmful to the living conditions of neighbouring occupiers, I have identified harm to the character and appearance of the host dwelling and surrounding area. Thus, for reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR